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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/003,341	10/31/2001	Varda Treibach-Heck	Call-Tell MP	5260

7590

03/13/2003

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EXAMINER

BUCHANAN, CHRISTOPHER R

ART UNIT

PAPER NUMBER

3627

DATE MAILED: 03/13/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/003,341

Applicant(s)

TREIBACH-HECK ET AL.

Examiner

Christopher R Buchanan

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-18 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). ____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) ____ 6) ☐ Other: ____

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Swart alone.

With regard to claim 1, Swart discloses a data collection and reporting method in a central system (see abstract) that includes the steps of receiving a report (202, Fig. 2) concerning at least one parameter from at least one sender (col. 1 line 52+, col. 2 line 45+), extracting and storing the report data in a memory (210, col. 3 line 31+, common practice to store data locally), storing a set of party-specific rules (238, 240, 242) in memory for a third party (230, common practice to store relevant rules, operating procedures, and access info.), associating the report with the corresponding third party (see Fig. 2), and allowing access (RA, Fig. 2) by the third party to a portion of the report data via a publicly accessible network (see Fig. 3, col. 2 line 56, col. 4 line 10). With regard to claim 2, a copy of the extracted report data is transferred to the third party (230) and is available for processing by the third party (col. 2 line 54+). With regard to claim 3, the data is stored and transferred in a normalized format understandable by different platforms and software (col. 6 line 43+). With regard to claims 4-6, it is

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common practice to store changes/annotations in data files, to send confirmation or error (rejection) messages upon receipt of information, and to store images of reports and make them available over a network (images of checks via online banking, for example). With regard to claim 7, a fourth party (120, Fig. 3) can be associated with the sender and third party and be given access (via Internet) to the report data. With regard to claim 8, the parameter is time worked by the sender (col. 2 line 40+, abstract). It would be obvious to one skilled in the art that the various parties involved could be a variety of different entities. With regard to claims 9-11, it is common practice to scan physical forms (via special scanning equipment, fax, etc.) to input an image of the form into a computer system for automatic processing, wherein selected data can be extracted and manipulated.

3. Claims 12-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Swart alone.

With regard to claim 12, Swart discloses a data collection and reporting method in a central system (see abstract) that includes the steps of receiving a report (202, Fig. 2) concerning at least one parameter from at least one sender (col. 1 line 52+, col. 2 line 45+), extracting and storing the report data in a memory in a predetermined common format (210, col. 3 line 31+, common practice to store data locally), storing a set of party-specific rules (238, 240, 242) in memory for a third party (230, common practice to store relevant rules, operating procedures, and access info.), associating the report with the corresponding third party (see Fig. 2), storing and transferring the data in a

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normalized format understandable by different platforms and software (col. 6 line 43+), allowing access (RA, Fig. 2) by the third party to a portion of the report data via a publicly accessible network (see Fig. 3, col. 2 line 56, col. 4 line 10), and transferring a copy of the extracted report data to the third party (230) making it available for processing by the third party (col. 2 line 54+). A fourth party (120, Fig. 3) can be associated with the sender and third party and be given access (via Internet) to the report data and the parameter is time worked by the sender (col. 2 line 40+, abstract). It would be obvious to one skilled in the art that the various parties involved could be a variety of different entities. With regard to claims 13 and 14, it is common practice to send confirmation or error (rejection) messages upon receipt of information and to store images of reports and make them available over a network (images of checks via online banking, for example).

4. Claims 15-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Swart alone.

With regard to claim 15, Swart discloses a data collection and reporting system with a central system (see abstract) that includes an I/O means for automatically receiving a report (202, Fig. 2) concerning at least one parameter from at least one sender (col. 1 line 52+, col. 2 line 45+) and a form processing means for extracting and storing the report data in a memory (210, col. 3 line 31+, common practice to store data locally), for storing a set of party-specific rules (238, 240, 242) in memory for a third party (230, common practice to store relevant rules, operating procedures, and access

info.), for associating the report with the corresponding third party (see Fig. 2), and for allowing access (RA, Fig. 2) by the third party to a portion of the report data via a publicly accessible network (see Fig. 3, col. 2 line 56, col. 4 line 10). With regard to claim 16, the form processing means includes a means for transferring a copy of the extracted report data to the third party (230) making it available for processing by the third party (col. 2 line 54+). With regard to claim 17, the data is stored in a predetermined common format (common practice) and transferred in a normalized format understandable by different platforms and software (col. 6 line 43+).

5. Claim 18 is rejected under 35 U.S.C. 103(a) as being unpatentable over Swart alone.

Swart discloses a method for doing business (see abstract) that includes the steps of receiving a report (202, Fig. 2) concerning at least one parameter from at least one sender (col. 1 line 52+, col. 2 line 45+), extracting and storing the report data in a memory (210, col. 3 line 31+, common practice to store data locally), storing a set of party-specific rules (238, 240, 242) in memory for a third party (230, common practice to store relevant rules, operating procedures, and access info.), associating the report with the corresponding third party (see Fig. 2), and allowing access (RA, Fig. 2) by the third party to a portion of the report data via a publicly accessible network (see Fig. 3, col. 2 line 56, col. 4 line 10). The method is not explicitly shown to include charging the third party for access, however, it would be obvious to one skilled in the art that a number of the parties involved could be charged a at variety of points in the process.

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Grant et al. disclose a data processing system that transfers reports and stores data in a central database. Casto discloses a tracking system that transfers reports wherein certain data fields are certified for accuracy. Gates et al. disclose a payroll processing system wherein data is transferred between multiple entities in the form of reports and is stored in a database. Puchek et al. disclose a method for allowing individuals access wherein identification data is compared with stored data and verified.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Christopher R Buchanan whose telephone number is 703-306-5782. The examiner can normally be reached on M-T 9-7.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert Olszewski can be reached on 703-308-5183. The fax phone number for the organization where this application or proceeding is assigned is 703-305-7687 for regular communications. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-1113.

CRB

Christopher Buchanan
March 6, 2003

[Signature] 3/4/03
Kenneth R. Rice
Primary Examiner